

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re:  RICHARD JOSEPH ELLER, and MARY ELIZABETH ELLER,  Debtors,  GLOBAL LENDING SERVICES LLC,  Movant,  v.  RICHARD JOSEPH ELLER, MARY ELIZABETH ELLER, and JACK N ZAHAROPOULOS, Trustee, Respondents.	Bankruptcy No. 5:23-bk-00055-MJC  Chapter 13
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, Global Lending Services LLC (the “Movant”), by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Relief from the Automatic Stay (the “Motion”), representing as follows:

THE PARTIES

1. Respondents, Richard Joseph Eller and Mary Elizabeth Eller, (“Debtors”), are adult individuals with a place of residence located at 451 Hyland Avenue, East Stroudsburg, Pa 18301.
2. Jack N. Zaharopoulos, is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.

JURISDICTION AND VENUE

3. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

#### FACTUAL BACKGROUND

4. On or about January 13, 2023, Debtors filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code.

5. On or about July 6, 2017, Debtors entered into a Retail Installment Sales Contract (“Note”) with the Movant for the purchase of 2012 Hyundai Tucson, VIN: KM8JUCAC2CU424100 (the “Vehicle”) with the Movant, a true and correct copy of which is attached hereto as **Exhibit A**.

6. Movant has a secured interest in the 2012 Hyundai Tucson, VIN: KM8JUCAC2CU424100, as evidenced by the Certificate of Title attached hereto as **Exhibit B**.

7. The loan matured on October 20, 2023.

8. The total balance due on the Note as of February 13, 2024, was \$21,158.94.

9. The N.A.D.A. value of the Vehicle is \$5,350.00. There is no equity in the Vehicle as evidenced by a copy of the N.A.D.A. report attached hereto as **Exhibit C**.

10. Movant is entitled to relief from the automatic stay for cause, including lack of adequate protection, because the Movant no longer has a contractual relationship with the Debtor. 11 U.S.C. §362(d)(1).

WHEREFORE, Movant, Global Lending Services LLC, respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to the 2012 Hyundai Tucson, VIN: KM8JUCAC2CU424100.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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*Counsel for Global Lending Services LLC*

Dated: February 16, 2024